

ALTERNATIVES TO ADDRESS CAPACITY FORECAST

Alternatives to secure detention can be classified into three major sections:

- Process or front end system changes which would decrease the population,
- Sanctioning or back end system changes that would increase capacity, and
- Other outside items (legislative changes, contract changes, etc.)

As a policy matter, alternatives to address the capacity must be analyzed, and recommended from several decision points. Any alternative to incarceration must adhere to the following underlying principals:

- Be cost effective
- Be acceptable to the courts
- Provide appropriate level of sanctioning for criminal offense
- Provide appropriate public safety
- Reduce the risk of re-offense
- Not to lead to net widening – Net Widening is a term used to describe the concept of establishing a new alternative to remove offenders from secure detention, and instead, the new alternative is filled with offenders who would not normally be in jail.

Process (front-end) changes which decrease population

The AJOMP effort commissioned two inter-disciplinary and inter-jurisdictional work groups to review, analyze, and recommend changes for the pre-trial jail population, one to look at the misdemeanor population, and the other to review the felony population. Representation on the work groups was from many stakeholders in the criminal justice system including King County, Seattle, Bellevue, Suburban Cities, State of Washington, and professionals from social services agencies, treatment, and community groups.

The purpose of both the Misdemeanor Workgroup and the Felony Workgroup was to identify system efficiencies, policies, and practices that divert from and reduce the reliance upon the jail as the means for processing, controlling, and supervising the pre-trial and post-conviction jail population without compromising the administration of justice.

Several important conclusions were published:

- 46% of all misdemeanor defendants failed to appear at a judicial hearing in 1995. Misdemeanants who fail to appear are 2.2 times as likely to spend time in jail than those who do appear.
- 35% of pre-sentence felons who spend some or all of their pre-sentence time out-of-custody fail to appear at least once. The average time spent in jail is 1.57 times greater for those who fail to appear or an average of 16 days longer in jail.
- The number of offenders (felony and misdemeanor) booked into the King County jail for a failure to comply with judge ordered sentenced conditions is a significant contributor to the jail population.
- King County had more than 8,000 Driving While License Suspended (failure to respond to a traffic infraction) bookings in 2000 – 22% of total misdemeanor bookings with an ADP for those offenders whose most serious offense was Driving While License Suspended of 118 – 11% of total misdemeanor ADP.
- The Average Length of Stay (ALOS) increased 46% between 1992 and 2001 for pre-trial misdemeanants. This impact has had a significant impact on the overall jail population.



The teams produced a set of recommendations to address the points above and improve how cases are handled and reduce the impact of pre-sentence inmates at the detention facilities.

The detention impact of the recommendations for the Misdemeanor and the Felony Reports is not fully known. Some of the recommendations, such as the reminder calls to reduce failure to appear rates have already been partially or fully implemented; other recommendations may take longer with more research and collaborative effort to fully implement.

Recommendation

Implement the recommendations of the Misdemeanor Report and the Felony Report. In the process of implementation, prepare objectives and target outcomes to measure the impact and cost/benefit of these initiatives and establish criteria to allow King County to assess the long-term merit and feasibility of these proposals.

The recommendations from the both the Misdemeanor Report and Felony Report follow:

The Misdemeanor Workgroup Report

For further analysis and discussion on the recommendations, objectives, and implementation please refer to “The Adult Justice Operational Master Plan - The Misdemeanant Workgroup Report – February 2002”

Specifically the Misdemeanor Workgroup Report recommended:

Implement Failure to Appear (FTA) Reduction Strategies to relieve strained resources and workloads in multiple criminal justice agencies, reduce jail days associated with bench warrant bookings, and assist defendants in navigating through the criminal justice process.

Establish Alternative Sanctions for the Failure to Comply (FTC) Population to reduce the reliance on the existing jail facilities/programs as the only sanction for those offenders who do not comply with their conditions of sentencing (e.g. failing to go to treatment, or failing to contact probation).

Establish Community Re-Licensing Programs (which may include but not need to require a vehicle tow component) for Defendants Charged with Driving While License Suspended to reduce recidivism and jail use while increasing the success rate of fine collections, and improving the judicial processing and coordination with other charges.

Improve Information Sharing Technology Solutions to improve communications and information sharing on offenders across local and state criminal agencies (e.g. checking on current detention status prior to issuing a bench warrant).

Revise Pretrial Processing Procedures to reduce the time it takes for a court to make the pretrial release decision thereby reducing jail use for the pretrial misdemeanor population. Examples include the expansion of video proceedings, consolidating first appearance hearing for defendants with changes from multiple jurisdictions, and improving the method and scheduling of outlying court first appearance hearings.

Evaluate Changes in Pretrial Release to improve information to the judicial process to facilitate the release decision and the setting of conditions of release for defendants.

Develop Multi-Jurisdictional Implementation Groups to further refine and implement the recommendations contained in the Misdemeanant Workgroup Report.

The Felony Workgroup Report

For further analysis and discussion on the recommendations, objectives, and implementation please refer to “The Adult Justice Operational Master Plan - The Felony Workgroup Report – March 2002”

Specifically the Felony Workgroup Report recommended:

Review, and revise if analysis warrants, the Felony Administrative Recognizance Release (FARR) Guidelines to

- Determine the impact of 1991 revision excluding “drug traffickers” from FARR,
- Provide presumptive release for persons booked on investigation of felony property crimes (unless objection by the arresting agency), and
- Enhance the effectiveness of the FARR and reduce reliance on the jail.

Establish a Pretrial Services Group as an offshoot of the Superior Court or the Department of Judicial Administration to move the judiciary responsibility of pre-trial screening from Department of Adult and Juvenile Detention to a branch of the judiciary.

Expand Pretrial Release Options to include Work Education Release and Electronic Home Detention to allow additional options for the persons not currently released or waiting to be released from the jail through personal recognizance or other presentence release options.

Implement a Centralized Felony Failure to Appear (FTA) Program to reduce jail days associated with bench warrant bookings, and assist defendants in navigating through the criminal justice process. (Note: Department of Adult and Juvenile Detention has implemented a pilot program targeting the felony FTA population – Felony Arraignment Notification (FAN)).

Encourage Police Agencies to use the “Live Scan” remote suspect identification process instead of the traditional jail booking process to improve suspect identification and processing.

Modify the existing Sentencing Reform Act (SRA) Judicial to improve the processing of offenders failing to comply with sentence conditions.

Investigate the Use of Video to Consolidate the Seattle and Regional Justice Center Sentencing Reform Act Calendars to improve the processing of offenders.

Reduce the number of Pre-Sentence Investigation Reports and Sentencing Summary Reports to a those required by law, specifically requested by a judge, or for crimes against persons to more effectively use limited resources and to enhance field supervision by DOC.

Revise the process for offenders in violation of sentenced conditions to:

- Issue warrants with a bail amount or indicate if EHD or WER is allowed,
- Prior to requesting a warrant for failure to appear, to check to verify if the offender is currently in custody, and
- Provide DOC staff at sentencing to perform immediate intake for persons sentenced to DOC supervision.

These process changes would reduce Failure to Appear, improve case processing, and reduce the impact on the jail.

Sanctioning (Back End) Options to increase or change capacity

Day Reporting Center

The AJOMP commissioned an inter-disciplinary and inter-jurisdictional work group to look extensively at alternatives to incarceration. The team reviewed “best practices” from other jurisdictions and recommended implementation of a day reporting center targeting the failure to comply populations, with a strong focus on treatment services.

A Day Reporting Center (DRC) is a non-residential intermediate sanction that combines high levels of control with intensive delivery of services needed by offenders. The most effective Day Reporting Centers operate in phased tiers. Tiers are basically a sanctioning grid by where the offender in the early stages of reporting to the DRC goes every day, and by the end of their sanctioned time are reporting only once a week or once every other week. By using tiers, offenders are able to reintegrate back into the community at a slower and more controlled pace. The use of tiers can also serve as an incentive to inmates for increased freedom and decreased supervision if they do not have any disciplinary infractions. If an offender does commit infractions while in the program, the length of the more restrictive tiers will most likely be increased.

The Alternatives Work Group found that offenders who have violated the terms of their sentence represent over 25% of the King County Jail population. Some defendants who violated conditions of their sentence should continue to serve time in jail for serious violations. However, some violations, like failure to report to probation or failure to complete treatment, may be more appropriately handled by a day reporting center. Currently, jail is the most common sanction when offenders fail to comply with the terms of their sentences – and often the only sanction available to judges. The table below illustrates various legal status and charges of offenders at DRCs around the country.

Legal Status and Charge Type Use of DRCs			
In 1990 there were 13 DRCs across the country, as of 1994 there were 114 DRCs in 22 states serving offenders with a wide variety of offenses and legal status.			
Legal Status of Offenders in DRC ⁴		DRC Eligibility of Offenders Charged With or Convicted of Various Types of Crimes ⁴	
Legal Status	Percentage of DRCs that Admit Such Offenders	Offense Category	Percentage of DRCs that Accept This Category for Admission Screening
Probation	87%	Arson (current crime)	70%
Probation or parole violators	73	Sex Offense (current crime)	78
Parole from Prison	42	Other violent offense (current crime)	78
Jail (Pretrial release)	37	Weapons/firearms (current crime)	85
Jail sentence (Early release)	25	Violent Offense (past crime)	87
Prison Furloughs/ administrative release	20	Weapons/firearms (past crime)	96
Residential Programs	12	Drug sale (current crime)	100
Prison Work Release	6	Drug possession (current crime)	100

⁴ Parent, Dale, et. al. *Day Reporting Centers, Volume I*. U. S. Department of Justice, Office of Justice Programs, National Institute of Justice. September 1995. Pg. 18, 20.



The Alternatives Work Group recommended the Day Reporting Center primarily serve offenders who have violated the terms of their sentences and would otherwise be incarcerated in jail. The Day Reporting Center could also serve offenders serving time on their original sentences when appropriate, and drug court offenders. The Day Reporting Center would provide a mix of sanctions, supervision, services and treatment options to the offenders it serves.

The AJOMP conducted two statistically valid intensive reviews at the population housed in the King County Detention Facilities on March 30, 2000 and April 30, 2000. (In order to verify that the March 30 inmate stratification was a valid example of the normal housing/inmate types in jail, the AJOMP also ran data for June 30, September 30, and December 31. All days were similar in make-up of the inmate stratification.) Two samples of approximately 500 inmates were reviewed in detail looking not only at their criminal charge and history but also at their housing classification and the reasons documented for their housing location.

Both studies found that there were approximately 250 people in the King County correction facilities (including KCCF, RJC, WER, and NRF) that would appear on paper to be both a failure to comply and eligible for a day reporting center.

Estimated Number of Offenders in Jail Due to Failure to Comply (FTC) and Day Reporting Center (DRC) Eligible		
Category	March Snapshot Estimated ADP	April Snapshot Estimated ADP
Felon	118	151
County Misdemeanant	58	91
City Misdemeanant	74	36
Total	250	278

Recommendation

Pilot a Day Reporting Center with a strong focus on treatment services, initially targeting the failure to comply misdemeanor and felony jailed population as an alternative to incarceration. The pilot program will have an initial impact to the jail of 25 ADP growing to 75 ADP as population and operations warrant. The pilot program should be initially located in Work Education Release in the King County Courthouse by re-programming space not currently used by WER to accommodate a DRC. Further analysis of the jail population to identify other possible population groups for a Day Reporting Center is warranted with possible expansion to a larger facility to include expanded day-treatment services.

Out-of-Custody Work Crew

Currently, out-of-custody work crew is a judge sanctioned intermediate alternative to jail for the low-level, low-risk misdemeanor population. Judges participating in this program sentence directly to work crew. Once on work crew, the offenders perform supervised manual intensive labor for various County agencies and some outside municipalities. In 2001, out-of-custody work crew operates 2 crews, 5 days a week, with a maximum daily offender population of 20 (10 offenders per each crew).



Recommendation

The Executive, in conjunction with District Court, recommends the expansion of the out-of-custody work crews to provide an alternative to for the low-risk, low-level offender targeting the high priority populations - state filed King County misdemeanants, gross misdemeanants, and felons. An evaluation component will be established to ensure a reduction in jail population.

Cedar Hills Addiction Treatment Facility (CHAT)

Cedar Hills is a 202-bed residential treatment facility primarily serving chronic inebriates and long-term drug addicts. The facility serves patients from around the state of Washington, not only King County residents. While the client capacity is 202, currently only 168 of those beds are under contract with an average daily census of 130. The primary source of revenue supporting the services provided at the facility is state funds. The rates paid by the state, however, are insufficient to cover the expenditures incurred in providing services. As a result, the facility has been operating at a deficit for several years. Funds to meet the deficit and continue operations have come from Public Health-Seattle King County (PH) via the Current Expense (CX) fund and the use of Substance Abuse fund balance from the Department of Community and Human Services (DCHS). The Current Expense (CX) subsidy (from Public Health to CHAT) has been around \$1 million per year for several years and is expected to exceed \$1 million this year if the County continues with full operation. The total CX contribution to Cedar Hills in the 2001 budget was 1.4 million.

2001 Budget:

CX Contribution to CHAT via Public Health Fund:	\$999,715
CX Contribution to CHAT via Substance Abuse Fund:	\$423,367

If Cedar Hills Addiction Facility continues to operate throughout 2002, the draw down of Substance Abuse (SA) fund balance is projected to be \$1,055,079 (includes the CX contribution above). Shown below are the yearly amounts since 1999 that the SA fund balance has been providing an operating subsidy to CHAT :

1999	\$521,619
2000	\$770,876
2001	\$617,191
2002 projected	\$1,055,079

Recommendation

It is the recommendation that the Cedar Hills Addiction Treatment Facility currently owned by King County and operated by the Department of Community and Human Services (DCHS), be shut down effective December 31, 2002, with a phase down starting in mid-2002. In order to accomplish this, DCHS will stop taking long-term patients in June 2002 and begin a gradual phase down in census. The County is exploring possible options for different future uses of the Cedar Hills property.

The department has been working with the state to ensure minimum disruption for the clients and the system of care in King County. It is the County's understanding that other providers in the county may absorb the beds lost by the closure of CHAT. The County will continue to support and provide substance abuse services with remaining substance abuse funds.



North Rehabilitation Facility (NRF)

The NRF structure is a wooden structure built Pre-1939 originally as a Naval Hospital for the aviators and other Navy personnel primarily stationed at Sand Point Navy Station. Over the years, the facility has been used for several other purposes and is used now as a special detention facility for King County. NRF provides the state-certified *Stages of Change* treatment program and jail industries (in-custody work crew), as well as life skills programming (e.g. GED, employment counseling, parenting skills, etc.). The annual operating cost of NRF is about \$6 million in Current Expense (CX) funding. The facility is located on state-owned land and requires a leasing agreement with State of Washington. The current lease expires in 2003. Given the deterioration of the physical plant, there is consensus that the structure cannot continue in its current state. The cost to rebuild the North Rehabilitation Facility in its current location would be approximately \$22 million for a 350-bed facility in 2001 dollars.

The “special detention facility” designation and the agreement with the community allow only targeted inmates meeting eligibility criteria to be housed there. The criterion is based on an initial screening at jail classification with a more in-depth assessment at the NRF facility. It reviews resident, community, and facility safety interests including management of escape risks. Under the Status Quo forecast (please refer to the section – Offender Population Compared to Capacity Forecast – Forecast 2002 to 2010), the projected number of inmates eligible for the NRF facility with the current special detention designation does not justify the rebuild of the NRF facility at a 350 bed capacity (forecast projects 2002 NRF eligible population at 256 growing to 307 in 2010). In addition, local cities, which historically have contracted with King County for jail services, are entering into contracts with other jurisdictions to provide their jail services. This depletion of the jail population would reduce the NRF facility forecast from the projected level of 307 to 246 in 2010.

Secondly, under the Status Quo forecast, the total need in 2010 is for 622 beds, 481 of which are needed for a growing secure detention population. Re-building the NRF facility in the Shoreline site does not meet the capacity needs of the projected jail detention population. If the NRF facility were re-built, King County would still need to build a second facility to house the secure detention population.

Stages of Change is a state-certified chemical dependency treatment program located at the North Rehabilitation Facility. The *Stages of Change* program has the capacity to serve approximately one-quarter of the inmates at NRF. In 2001, it is budgeted to serve 45 inmates on average every day. In a preliminary report (final data is not yet available), recidivism rates (defined as re-arrest and re-bookings in the King County Jail) within 2 years post-program are reduced for those with length of stay in excess of 120 days compared to those without access to the program. The eligibility criteria for inmates to be located in the NRF structure prohibit some offenders who could benefit from the treatment availability, but due to their charge or criminal history are not eligible to be housed at the NRF facility. Transferring NRF programs to a site that allows expanded security eligibility could increase the number of prisoners who receive treatment, therefore increasing the treatment capacity within the detention facilities.

Recommendation

Expand treatment readiness programs to the minimum-security section of the Seattle - KCCF (commonly referred to as the West Wing) and close North Rehabilitation Facility structure beginning early 2003 with full closure by mid 2003. Re-programming the minimum-security section (West Wing) to provide the treatment and programs for the offender population would:

- Provide services to a larger number of inmates than are currently eligible at the NRF structure. The west wing has a bed capacity of 435 of which 139 are used for in-custody work



crew leaving 296 beds available for potential structured programming, an increase in program space above the current NRF capacity of 104 beds.

- Avoid the cost of the County re-building a limited-use facility that would only partially address the future population and capacity issues.

Programs offered in the West Wing will be based on the NRF model for offenders who are classified as minimum security. Existing services and programs currently offered in the KCCF should be built upon, including *Stages of Change* and the variety of other services offered including GED classes and testing, employment counseling, vocational education, life skills programming, mental health counseling and case management, parenting skills and family care among others.

Treatment Options in the Criminal Justice System

Research – Treatment Works for Targeted Populations in the Jail

There is extensive research on treatment in confinement. Much of the research is directed at the prison system where the offender is in confinement for a period longer than 1 year. There is, though, substantial jail based treatment research showing that jail based treatment with community follow-up works.

Studies have found that treatment can be effective in reducing recidivism; however, treatment only in the jail is not nearly as effective as an approach that is a seamless approach from the jail into the community. In the study “Reducing Recidivism Through a Seamless System of Care: Components of Effective Treatment, Supervision, and Transition Services in the Community” by Faye Taxman, et al; February 1998 page 4; shows the following information on jail based treatment information (based on re-arrest within 24 months after release):

Group	Predicted Probability of Re-Arrest	Predicted Probability of Re-Arrest and Technical Violation	Length of Time to Re-arrest (days)
No Treatment	48.5%	68%	201
Jail Treatment Only	34.5%	55%	233
Jail/Community TX	24.0%	36%	282

Source: Jail Addition Services – Montgomery, MD.

As shown in the chart above, the predicted probability of re-arrest and technical violation dropped from 68% with no treatment to 36% with jail based treatment and community follow-up. A reduction of 47% in the occurrence of recidivism with the length of time between re-entering the criminal justice system increasing from 201 days (with no treatment) to 282 (with treatment and community follow-up) – an increase of 81 days.

Additionally, two of the major conclusions from the published research is that the longer a client is in treatment the greater impact on reducing recidivism and substance abuse and that coerced treatment works.

“Length of stay in treatment has been found to be a critical variable in reducing recidivism and substance abuse (DeLeon, et al., 1982; Condelli and Hubbard, 1994; Hubbard, et al.; Simpson 1979; Simpson and Sells, 1990). Addicts are notorious for dropping out of treatment, especially during the early stages of a program when the addict is adjusting to a non-drug use

lifestyle...The criminal justice involvement has the benefit of having an active, outside force to monitor compliance with treatment programs.”⁵

“A massive amount of data, assessing roughly 70,000 patients since 1967, emerged with two clear findings. First, the length of time a patient spends in treatment is a reliable predictor of his or her post-treatment performance. Beyond a 90-day threshold, treatment outcomes improved in direct relationship to the length of time spent in treatment. The second major finding was that coerced patients tend to stay in treatment longer.”⁶

Thurston County Inmate Chemical Dependency Program

Thurston County implemented a substance abuse treatment program in 1995 within the correctional facilities with the goal of reducing recidivism to a targeted population of offenders with histories of repeated drug-related arrests. An evaluation done in 2001 showed that those offenders completing the 3rd phase had a reduction in the rate of incurring charges from 241 days before treatment between charges growing to 444 days after treatment for a net increase in days between charges of 203 days.⁷

Break the Cycle Program

Maryland’s *Break the Cycle* Program is targeted at chemical dependency abusing offenders with a program of drug testing, treatment, and sanctions/rewards. The typical participant is male, between 21 and 33 years of age, and has an average of 5.2 prior arrests. Around 50% of the offenders are arrested for drug offenses (possession or possession with intent to distribute) and about 20% have a property charge. In the second year evaluation, re-arrest rates in the first 180 days post treatment were 21% of the Baltimore City offenders in the *Break the Cycle* program compared to 29% for a similar group who were not exposed to the testing and sanctioning program – a drop of 38% in recidivism.⁸

King County – Population and Direction for Expanded Treatment

Long Stayers

Long stayers are defined as those offenders who spend 90 days or greater in jail after their sentencing date. As an illustration of the recidivism in the King County long stayer population with underlying substance abuse or mental illness, the AJOMP reviewed the 1995 drug filings in comparison with jail use. In 1995, there were 668 people with an original sentence in jail on a 1995 drug filing (based on a match of Superior Court data to jail data). Of those 668 sentences, 63 served 90 days or more in jail on that charge after their sentence date. (Note: more than 63 people were sentenced to 90 days or more, but only these 63 based on the court to jail data match actually served 90 days or more in jail after their sentence date.) Of those 63 people with 90 days or more, all but 2 or 97% came back in the years 1995 to 2001 for either new charges or violations for a total of more than 500 bookings generated by these 63 people and incurred approximately 13,000 jail days.

⁵ Taxman, Faye et al. *Reducing Recidivism Through a Seamless System of Care: Components of Effective Treatment, Supervision, and Transition Services in the Community*. February 1998. pp 10.

⁶ Satel, Sally. *Drug Treatment: The Case for Coercion*. National Drug Court Institute Review, Vol. III,1, pp 2-3, 2001.

⁷ Thurston County Sheriff’s Office Corrections Facility and St. Peter Chemical Dependency Center. *Inmate Chemical Dependency Program*, pp 24.

⁸ Taxman, Faye, et al. *Break the Cycle: Overview of Offender and System Issues in Year 2 of Implementation*. February 2001. pp 1.

Recidivism of Person for the 63 People Who Spent 90 Days or More Post-Sentence On a 1995 Drug Filing							
	1995	1996	1997	1998	1999	2000	2001
Count of People with Booking Activity	51	41	39	36	31	22	17
% of 63 inmates with LOS > 90 days After sentence date	81%	65%	62%	57%	49%	35%	27%
Notes: Of the 63 sentenced people, 61 (or 97%) came back in years 1995 to 2001 for either new charges or violations. The study did not differentiate between new charges and violations.							

Assuming implementation of a jail treatment program with community aftercare and a reduction in recidivism similar to the results published in the study “Reducing Recidivism Through a Seamless System of Care: Components of Effective Treatment, Supervision, and Transition Services in the Community” by Faye Taxman; the impact to the 1995 drug filing population is estimated at a decrease in jail days of 6,000 days.

In a separate count of people serving sentences in 2001, the AJOMP determined that 298 felony or King County Misdemeanant offenders spent more than 90 days after their sentence date in the detention system. The count targeted charges of drugs, non-compliance, property, or DUI – historically, research has shown that these are the most likely charges with chemical dependency. In looking at the housing stratification noted in the chart below, 169 inmates were housed in either minimum or community locations, with 77 housed in the KCCF or West Wing.

Inmate Housing Stratification of the 298 inmates who served 90 or more days after being sentenced in 2001 for Drugs, Non-compliance, Property, or DUI.				
	Alternatives	Minimum-Security or Community Classified	Medium, Maximum, Close-Security or Medical, Psych Classified	Total
EHD	14			14
WER	64			64
NRF		57		57
KCCF		32	32	64
West Wing		35		35
RJC		45	16	61
Unknown			3	3
Total	78	169	51	298
Notes: Unknown represents incomplete data.				

These offenders have a significant impact on the daily population and represent a potential target population to evaluate further and potentially target a treatment program for.

Rapid Cyclers

The AJOMP did an extensive look at the 1998-jail population. In 1998 there were 120 individuals who were booked 10 or more times and 263 individuals who were booked in the jail 8 or 9 times within a 12-month period. An in-depth analysis was done of individuals booked in the jail 10 or more times. The findings created the following profile:

- Each person averaged 120 days in jail in a 12-month period with an average length of stay of 18 days per booking
- Offenders were primarily from Seattle



- 57% primarily had misdemeanor charges; 33% had a mix of felony and misdemeanor charges; 10% primarily had felony charges
- 55% of the bookings were for new charges; 44% for warrants; 1% for a sentenced commitment
- The most common serious offenses: criminal trespass (29%); drugs (28%) prostitution (10%) and theft (9%).
- All of the offenders appeared to be homeless
- 80% had some indication of a substance abuse problem; 20% had a serious mental illness (there is overlap between the populations)

These offenders significantly impact the jail on an individual basis. By definition, they aren't committing serious crimes, but are being repeatedly arrested and booked due to their underlying substance abuse and mental health problems.

Recommendation

With the recommended closure of NRF and CHAT, and given the Current Expense financial crisis facing the County, the AJOMP recommendation is to reserve up to \$3 million of the expected \$7 million in annualized savings from closure of NRF and CHAT to pay for the alternative sanctioning and treatment programs. Establish a collaborative effort between the Department of Adult and Juvenile Detention, Public Health Seattle and King County, and Department of Community and Human Services to invest in expanding the corrections, treatment and case management follow-up for offenders with substance abuse and/or mental health illnesses that are high jail utilizers and that are not immediately eligible for enrollment in either the mental health or chemical dependency systems with the objective to reduce recidivism.

Programs would be a complement to the existing sentencing practices (i.e. can be implemented within the existing sentencing practices) and would build upon the *Stages of Change* and other programs and services already provided within the jail and in the community. In King County, there are several providers with expertise in serving the criminal justice population that should be referred to for programmatic guidance. Furthermore, there are several successful models in the nation based on drug testing, treatment, and rewards for success and sanctions for failures (two of which are the Maryland *Break the Cycle* Program, and the Thurston County *Inmate Chemical Dependency*) that should be referred to when expanding the treatment programs.

In addition, an evaluation of the programs implemented should be done to determine outcomes, including reduced recidivism, length of treatment retention post confinement, and a reduction in the offender's positive drug test percentage.

Related to and overlapping with alternative treatment programs, AJOMP recommends that a portion of the prospective annualized Current Expense savings from the closure of NRF and CHAT be used for alternative sanctioning programs including a possible expansion of the pilot day reporting center and an expansion of the out-of-custody work crew program. The optimum mix of treatment and sanctioning program expenditures will continue throughout the 2003 budget process and is anticipated to be presented with the Executive's 2003 budget. The tentative plan is to include in the Executive Proposed 2003 Budget funding that will support a gradual ramp up of alternative treatment and corrections programs at the same time the NRF program ramps down its program and reduces its expenditures.



Other items having impact on capacity

Prospective Changes in Practices Affecting Jail Use by Prosecutor, Superior Court and District Court

Following the issuance of the felony work group and the misdemeanor work group reports, the elected leadership of the Prosecuting Attorney's Office, the Superior Court and the District Court met with representatives of the Executive and County Council. They expressed their commitment to working expeditiously on changes in prosecutorial and judicial practices that could have the effect of substantially reducing the ADP of felony, gross misdemeanor or County misdemeanor prisoners. Some of the prospective changes will depend on the availability of alternative sanctioning and treatment programs described above and others will not. The elected criminal justice leaders set a goal for themselves of reducing the non-city prisoner ADP by 400.

Washington State Offender Accountability Act (OAA)

Directs the Washington Department of Corrections (Prison System) to focus more resources on higher-risk offenders and to focus fewer resources on the lower-risk offenders. The impact to the King County Adult Detention system is that fewer of the offenders housed for the state will be at the lower-risk level and therefore, will be less likely to be eligible for alternative sanctions. It is difficult to estimate the ADP impact the OAA may have on King County jail population.

Contracts with Local Cities

For many decades King County has contracted with most of the cities within its boundaries to provide jail services for city misdemeanants. King County and its contracting cities currently are negotiating a new contract that reflects both parties' desire to substantially reduce cities' use of the King County jail facilities. Most of the contracting cities are planning to contract with other jail providers for a large portion of their prisoners. The current plans as expressed by the cities' contract negotiating team is to reduce the cities' aggregate ADP in the King County jail facilities down to about 250 ADP by 2004. If all contracting cities choose to use other jails or other corrections alternatives for all their pre-sentence and sentenced inmates, the impact on King County's forecasted jail population is significant. Even if the planning goal of a reduction of 400 ADP set by the criminal justice leaders is not fully successful, the loss of all city prisoners would delay the date by which we need additional jail capacity until 2010.

On the other hand, if portions of the contracting cities' populations remain in King County jail facilities and if the non-city prisoner population reduction measures are unsuccessful, additional capacity is forecasted to be needed by as early as 2005. For purposes of determining capacity constraints related to the County's statutory duty to house felons, gross misdemeanants and County misdemeanants, the forecast presented in this report assumes that all of the contracting cities choose to reduce their population in secure detention to 250 by 2004. The chart below depicts the forecasted contract cities' total misdemeanants by pre-sentence and sentenced populations.



Jurisdictional Responsibility for Detained Inmates Forecasted 2002 to 2010							
Year	King County Felons/Misdemeanants		Total Contract Misdemeanants (CM)			Other	Total
	PreSent	Sentence	PreSent	Sentence	Total CM		
2002	1,424	563	246	374	620	418	3,025
2003	1,501	584	248	375	623	407	3,115
2004	1,568	605	246	375	621	415	3,209
2005	1,626	617	251	381	632	430	3,305
2006	1,673	636	258	392	650	445	3,404
2007	1,723	655	266	404	670	459	3,507
2008	1,773	674	274	416	690	475	3,612
2009	1,826	694	282	429	711	489	3,720
2010	1,876	723	293	437	730	504	3,833
Source: Department of Adult and Juvenile Detention							
Note: The forecast presented on page 31 assumes that the contract cities choose alternatives for all but 250 ADP by 2004.							
Other Includes State Holds and Other Holds							